

## **REMARKS**

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

### **A. Claim Status**

Claims 1 and 3-16 are pending in this application. Claims 1 and 3-16 are objected to because of informalities. Applicant appreciates the Examiner's acknowledgement that the claims 1 and 3-16 would be allowable if rewritten to overcome these objections.

By this Amendment, claims 1, 6 and 7 have been amended to rectify the informalities and are believed allowable. No new matter has been introduced.

### **B. Objections to the Claims**

Claims 1-6 and 7 are objected to because of informalities consisting of the use of the incorrect article "an" instead of "a". Applicant has amended claims 1, 6 and 7 in accordance with the Examiner's suggestions. Applicant respectfully submits these amendments to resolve the Examiner's objections and place the claims in condition for allowance.

### **C. Objections to the Specification**

The specification has been objected to for failing to provide proper antecedent basis for the claimed subject matter under 37 C.F.R. 1.75(d)(1) and M.P.E.P. 608.01(o). Specifically, the Examiner seeks correction of the specification to "provide antecedent basis for the terms predetermined speed and predetermined position, as they are used in the claims."

Applicant respectfully traverses the Examiner's objection and submits that the claimed subject matter finds support in the specification.

First, Applicant respectfully submits that the disclosure regarding “ideal speed” and “ideal position” satisfies the written description requirement and directs the Examiner’s attention to *In re Wilder*, 222 U.S.P.Q.2d 369 (Fed. Cir. 1984) and *Ex parte Siegmund and Cole*, 156 U.S.P.Q. 477 (PTO Bd. App. 1967). In *In re Wilder* the Federal Circuit recognized that the claimed subject matter need not be described in identical words in the specification to satisfy the written description requirement where the meaning is clearly present based on the specification. *In re Wilder*, 222 U.S.P.Q.2d at 372 (while particular words quoted may not appear as such in the specification, the meaning thereof by other words is clearly present and constitutes adequate antecedent basis for the words in fact used). Consistent with *In re Wilder*, the adequacy of the disclosure is acknowledged by the Examiner recognition that the terms “ideal speed” and “ideal position” are disclosed throughout the specification and are in fact predetermined values. (Office Action, p.2). Accordingly, Applicant submits that the claim terms “predetermined speed” and “predetermined position” are supported by the specification in view of *In re Wilder*.

Second, irrespective of *In re Wilder*, the term “predetermined speed” is explicitly disclosed in the specification. Applicant respectfully directs the Examiner’s attention to, for example, page 9, lines 7-14 of the specification, which discloses that “the carrier 1 is accelerated in the main scanning direction from the stopped state, and then moves at a predetermined speed. At the predetermined speed, the heaters …” Additionally, with respect to the term “predetermined position” applicant respectfully directs the Examiner’s attention to the use of these terms individually throughout the specification and to Fig. 9B which depicts the ideal or predetermined carrier position at any time as well as the ideal or predetermined speed.

Accordingly, Applicant believes that the specification, as presented, provides antecedent basis for the claimed subject matter of the invention as required by 37 C.F.R. 1.75(d)(1) and respectfully request reconsideration and withdrawal of this objection.

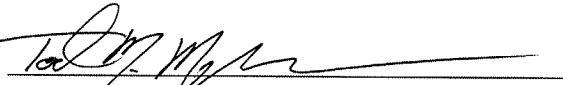
### **CONCLUSION**

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5117.

Respectfully submitted,  
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